

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

MRS. GREEN'S NATURAL MARKET, INC.

and

Case 02-CA-138472

**UNITED FOOD AND COMMERCIAL WORKERS,
LOCAL 1500**

DECISION AND ORDER

On July 21, 2015, Mrs. Green's Natural Market, Inc. (the Respondent), United Food and Commercial Workers, Local 1500 (the Union), and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to the Board's approval, providing for the entry of a consent order by the Board and a consent judgment by any appropriate United States Court of Appeals. The parties waived all further and other proceedings before the Board to which they may be entitled under the National Labor Relations Act and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

Findings of Fact

1. The Respondent's business

The Respondent is a New York corporation with an office and principal place of business located at One Bridge Street, Irvington, New York; has operated a retail store located at 666 Lexington Avenue, Mount Kisco, New York (facility), the sole facility involved herein; and has been engaged in the retail sale of organic and natural foods, food supplements, and health and beauty aids and related products.

Annually, in the course and conduct of its operations, the Respondent derives gross revenue in excess of \$500,000 and purchases and receives at its facility goods

and materials valued in excess of \$5000 directly from suppliers located outside the State of New York.

At all material times, the Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

2. The labor organization

The Union is a labor organization within the meaning of Section 2(5) of the Act.

ORDER

Based on the above findings of fact, the Formal Settlement Stipulation, and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that:

The Respondent, Mrs. Green's Natural Market, Mount Kisco, New York, its officers, agents, successors, and assigns, shall

1. Cease and desist from

(a) Interrogating employees about their support for United Food and Commercial Workers, Local 1500, or any other labor organization.

(b) Surveilling employees while they are engaged in Union activities.

(c) Giving employees the impression of surveillance while they are engaged in Union activities.

(d) Soliciting grievances from employees.

(e) Threatening employees with discharge if they go on strike.

(f) Impliedly threatening employees with discharge for their support for the Union.

(g) In any other like or related manner interfering with, restraining, or coercing its employees in the exercise of their rights to self-organization, to form labor organizations, to join or assist United Food and Commercial Workers, Local 1500 or any labor organization, to bargain collectively through representatives of their own choosing and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, or to refrain from any and all such activities.

2. Take the following affirmative action necessary to effectuate the policies of the Act.

(a) Within 14 days after service by Region 2, post at the facility at Mount Kisco, New York, copies of the attached notice marked "Appendix A," in English and Spanish, and in additional languages if the Regional Director decided that it is appropriate. Copies of the notice, on forms provided by the Regional Director for Region 2, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material.

(b) Hold a meeting or meetings during work time, scheduled to ensure the widest possible attendance on each shift, at which a responsible management official of the Respondent will read the notice in English, in Spanish, and in any additional languages if the Regional Director decided that it is appropriate to do so, in the presence of a Board agent. The Respondent will be responsible for any translation or interpretation costs. The reading will take place at a time when the Respondent would customarily hold meetings and must be completed prior to the completion of the 60-day notice posting period. The date and time(s) of the reading must be approved by the Regional Director. The announcement of the meeting will be in the same manner the Respondent normally announces meetings and must be approved by the Regional Director.

(c) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

Dated, Washington, D.C., October 20, 2015.

Mark Gaston Pearce, Chairman

Philip A. Miscimarra, Member

Lauren McFerran, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

APPENDIX A

NOTICE TO EMPLOYEES POSTED BY ORDER OF THE NATIONAL LABOR RELATIONS BOARD An Agency of the United States Government

PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER AND A CONSENT JUDGMENT OF ANY APPROPRIATE UNITED STATES COURT OF APPEALS

FEDERAL LAW GIVES YOU THE RIGHT TO:

Form, join, or assist a union
Choose representatives to bargain with us on your behalf
Act together with other employees for your benefit and protection
Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

WE WILL NOT ask you about employee support for United Food and Commercial Workers, Local 1500, or any other labor organization.

WE WILL NOT watch your union activities.

WE WILL NOT make it appear to you that we are watching out for your union activities.

WE WILL NOT solicit grievances from employees.

WE WILL NOT threaten to terminate employees if they go on strike.

WE WILL NOT impliedly threaten union supporters with termination.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of your rights under Section 7.

MRS. GREEN'S NATURAL MARKET

The Board's decision can be found at www.nlr.gov/case/02-CA-138472 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

